

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND**

ELIZABETH MCMILLAN-MCCARTNEY,
Plaintiff,

v.

CALDWELL MCMILLAN, JR.,
Defendant.

Civil Action No.: 1:18-cv-03331-CBD

**PLAINTIFF’S OPPOSITION TO DEFENDANT’S MOTION FOR
SUMMARY JUDGMENT AND CROSS-MOTION FOR PARTIAL
SUMMARY JUDGMENT**

Plaintiff files this consolidated Opposition to Defendant’s Motion for Partial Summary Judgment and Cross-Motion for Partial Summary Judgment. Plaintiff is seeking summary judgment on Count I (Sale in Lieu of Partition) of her complaint – *i.e.* for a determination, as a matter of law, that the Homestead Lot cannot be divided in kind without loss or injury to the Parties. If summary judgment is granted as to Count I, Plaintiff asks the Court to enter Judgment for Sale pursuant to Md. Rule 12-401, to be conducted in the manner provided by Title 14, Chapter 300 of the Maryland Rules. In support of her opposition and partial cross-motion, Plaintiff relies upon the supporting memorandum of law attached hereto.

Respectfully submitted,

/s/Andrew Balashov

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